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MAY - 8 1996

FEDERAL COMMUNICATIONS COMMISSION
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From: David H. Deans <0004704377@mcimail.com>
To: FCC <rm8775@fcc.gov>
Date: 5/7/96 7:30pm
Subject: Rm No. 8775

Federal Communications Commission
Washington, D.C.

DOCKET FILE COPY ORIGINAL

Ref: Rm#8775

To whom it may concern:

Please accept my following informal comments regarding the America's Carriers Telecommunication Association (ACTA) proposal to have the FCC start to regulate the growing number of voice communication applications transported via the internet.

The long distance reseller lobbyists, many of them representing multi-level marketers, seem determined to kill "voice over the internet" applications before they even get fully off the ground. Here's my opinion why.

They're concerned that those folks who buy LD telephone service predominantly based on the lowest price will place more and more calls over the internet, and therefore the current LD resellers will suffer. This is a valid concern!

However, in a zero or close to zero value-added business, those are the risks that you take in operating as a low-service retailer. New operations models can quickly change the battlefield. But, as an example, should the government step in to stop Walmart from displacing Kmart, just because Kmart insists on operating with an obsolete business model? Of course not. This is progress, and in a free market society people should be allowed to vote with their checkbooks.

I implore you not to make a hasty decision that may unduly limit the innovative efforts of numerous small U.S. software developers who are essentially braving through uncharted waters. That being, the creative use of the raw potential inherent in the public internet, essentially for the benefit of all citizens.

While most people tend to focus on the lower cost benefits that have resulted since MCI challenged the Bell System's monopoly on long distance, I personally value the numerous new products and services that were spawned by the competition that resulted from this event. Voice over the internet technologies appear to be stimulating a similar inventive reaction in the marketplace.

Moreover, the recently enacted telecom bill was said to have been conceived with the intention to limit further regulation, and help foster new innovations. Therefore, allowing and encouraging unfettered applications for voice over the internet to emerge is clearly in line with the spirit of the new law.

Also, why is it OK to give monopoly electric utilities FCC waivers to offer telecom services completely unregulated, but then consider voice over the internet for restrictive regulation? This makes no sense at all to me!

In closing, I trust that the FCC will valiantly resist the pressures of Amway and their reseller associates, by supporting the notion that there are significantly more Americans that value the evolution of nascent public telecommunications services as something far beyond the myopic issue of who gets to make a fast buck.

Respectfully,

David H. Deans
Senior Partner
Deans & Associates
Phoenix, Arizona ph: (602) 485-9710 ddeans@mcimail.com

CC: rep. Fulton Brock
rep. David Armstead
senator John Wettaw

Deans & Associates is Arizona's leading TeleDevelopment consulting firm.
We coined the term "TeleDevelopment" to describe the process of relating telecommunications infrastructure investment to a state's direct economic development activities and planning process.

CC: Fulton Brock <fbrock@azleg.state.az.us>

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From: Marjorie W. Hodges <mwh2@cornell.edu>
To: A16.A16(RM8775)
Date: 5/8/96 10:29am
Subject: Rulemaking 8775: ACTA Petition on Internet Voice

H. David Lambert, Vice President for Information Technologies, Cornell University, asked that I forward this letter to you electronically. The original was sent through the US Postal Service.

Federal Communications Commission
1919 M Street, NW
Room 222
Washington, DC 20554

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Re: Rulemaking 8775: ACTA Petition on Internet Voice

Honorable Members of the Commission:

Please accept these informal comments on the America's Carriers Telecommunication Association (ACTA) "Petition for Declaratory Ruling, Special Relief, and Institutional Rulemaking" concerning the providers of computer software products that enable a computer with Internet access to transmit data, including text, video and voice.

While a member institution of a number of organizations representing higher education in this matter, Cornell University maintains a special interest in this petition, as both the developer of CU-SeeMe and as an institution committed to the research and development of technological advances in communications. Cornell University and its collaborators developed CU-SeeMe, a free video conferencing program that allows for real time transmission of data, including text, voice and video.

CU-SeeMe has a tremendous value providing connections between colleges, universities, secondary institutions and libraries. CU-SeeMe is part of the Global SchoolNet Foundation and therefore, plays a role in electronically linking school children from around the world. With

CU-SeeMe, an individual can video conference with another site located anywhere. By using a reflector, multiple parties at different locations can participate in a CU-SeeMe conference, each from his or her own desktop computer. In addition to linking school children to each other and to libraries, CU-SeeMe and similar technology will greatly influence higher education's efforts to expand teaching and learning to distant sites.

Cornell University strongly urges the Commission to deny the ACTA petition for the following reasons:

The ACTA petition asserts that "providers of software are telecommunications carriers" and are, therefore, subject to FCC regulation.

This assertion apparently relies on the belief that a software provider supplies an Internet long distance service. This premise is flawed and is the equivalent of arguing that a telephone developer, such as Radio Shack, is a telecommunications carrier. While it is accurate that the software is designed to operate in a personal computer that may be connected periodically to the public switched telecommunications network (PSTN), it would be a novel legal construction to stretch that to mean that the software developer is a provider of telecommunications services.

Beyond our concerns about the creativity of this argument, is the greater concern that such a position is not in the public interest and would cause a dramatic increase in FCC regulations in order to determine which software products (at which particular moment) fit the new definition of a telecommunications carrier. As to this concern, it is important to note that the Commission previously determined that customer premises equipment connected to the network should be deregulated.

ACTA also asserts that the Internet is a finite resource and use of software to transmit certain data would interfere with the "customary types of Internet traffic." This is factually inaccurate. First, there is no practical limit on the increase of the capacity of the Internet. In addition, the Internet is a deliverer of undifferentiated bites which means the network does not distinguish between the kinds of data transmitted. Moreover, the particular use identified as causing interference, voice, is a low bandwidth application. Therefore, not only is the argument for regulation based on a flawed premise, but any attempt to identify and regulate certain pieces or kinds of data transmitted through the network would cause a tremendous burden the continued development of the Internet.

As a result, regulation of this sort would run afoul of the mandate from the Telecommunications Act of 1996, which calls for a pro-competitive, deregulatory national policy encouraging the continued rapid development of advanced technologies and telecommunications.

The Telecommunications Act specifically directs the Commission to promote the development of "high speed, switched, broadband telecommunications capability that enables users to originate and receive high quality voice, data, graphics, and video telecommunications using any technology" 47 USC 157 and 254. One reason for the rapid development of the Internet lies in the Commission's decade-old decision to allow enhanced data services to develop without FCC regulation. As a result of this policy, the United States is the recognized world leader in networking technology. Acceptance of the ACTA arguments would seriously threaten continued advancements.

In the petition, ACTA also submits that a lack of a charge for voice services over the Internet is not in the public interest. However, it is inaccurate to assert that the voice services over the Internet are free. In addition to requiring the necessary hardware and software, Internet Service Providers price services based on the estimates of customer bandwidth utilization. There are advantages and disadvantages to choosing either voice services over the Internet or a circuit switched connection and it is in the public interest to allow the market to determine when to utilize a given service. The public interest is best served by allowing a variety of technologies to compete and develop unfettered by burdensome regulations.

Thank you for your consideration of this information .

Sincerely,

H. David Lambert
Vice President for Information Technologies
Cornell University

From: JIM GRANT <JIM_GRANT@kempthorne.senate.gov>
To: A16.A16(rm8775)
Date: 5/8/96 11:18am
Subject: telecommunications service via the "Internet"

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MAY - 8 1996

FEDERAL COMMUNICATIONS COMMISSION
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May 8, 1996

Regina M. Kenney
Chief, Common Carrier Bureau
Federal Communications Commission
<rm8775@fcc.gov>
Washington, DC 20554

Dear Ms. Kenney:

I am referring to you an E-Mail message I received from, Robert Wood, an Idaho constituent as a public comment. Mr. Wood expresses his concerns regarding the America's Carriers Telecommunication Association (ACTC) petition with the FCC concerning possible regulation of voice telephony over the Internet.

Sincerely,

DIRK KEMPTHORNE
United States Senator

DKWeg
Attachment

Forward Header

Subject: telecommunications service via the "Internet"
Author: Robert Wood <robtwood@micron.net> at internet
Date: 4/30/96 10:01 AM

I understand that the America's Carriers Telecommunication Association has petitioned the Fcc to prevent the use of the Internet for voice transmission. This sounds like they want to make sure that they have a monopoly and that they want to limit the ability of the people to communicate, and all to line their pockets. I am enclosing a heading off of a Public notice that I found and I would like to know what we as individuals can do to prevent this, and how you stand on this issue.

Public notice:
March 25, 1996

COMMON CARRIER BUREAU CLARIFIES AND EXTENDS REQUEST
FOR COMMENT ON ACTA PETITION RELATING TO "INTERNET
PHONE" SOFTWARE AND HARDWARE

RM No. 8775

Comments Due: May 8, 1996

Replies Due: June 8, 1996

On March 4, 1996, America's Carriers Telecommunication Association (ACTA) filed a Petition for Declaratory Ruling, Special Relief, and Institution of a Rulemaking relating to the provision of interstate and international interexchange telecommunications service via the "Internet" by non-tariffed, uncertified entities. ACTA alleges that providers of "Internet phone" software and hardware are operating as uncertified and unregulated common carriers, in contravention of FCC rules, and seeks three forms of relief. First, ACTA seeks a declaratory ruling establishing the

Commission's authority over interstate and international telecommunications services using the Internet. Second, ACTA asks the Commission for special relief: to order named and unnamed respondents immediately to stop provisioning Internet phone software and hardware without complying with the regulatory requirements of the Communications Act of 1934. Finally, ACTA urges the Commission to initiate a rulemaking proceeding to consider rules governing the use of the Internet for the provision of telecommunications services.

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MAY 28 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

From: Phil Karn <karn@unix.ka9q.ampr.org>
To: A16.A16(rm8775)
Date: 5/8/96 6:52am
Subject: Informal Comments on RM-8775

These are my informal comments on RM-8775, the proposal by America's Carriers Telecommunications Association for the FCC to regulate the "acceptable uses" (i.e., applications) to which the Internet may be used. More specifically, to restrict or prohibit the sale of software that can be used to provide telephony over the Internet, ostensibly to "save" the Internet from congestion.

I am a computer communications engineer with nearly two decades of professional experience in the telecommunications industry. I spent 13 years at Bell Labs and Bellcore. I am presently employed by Qualcomm in San Diego, California, a rapidly growing developer and manufacturer of advanced digital wireless communication systems. My comments here are my own.

This proposal is extremely difficult to take seriously. I first heard about it at a Los Angeles meeting of the Internet Engineering Task Force (IETF), the group most directly responsible for establishing the networking protocols and operational practices that characterize the Internet. Many of the original Internet designers and operators are still active members of the IETF. I personally have been an active IETF member for about 10 years. No other group is as acutely aware of (and challenged by) the Internet's severe growing pains, so one would expect us to be sympathetic to ACTA's professed concern with Internet congestion.

Yet the proposal was universally greeted with derision by every fellow IETF member with whom I spoke. Before it was confirmed, many (including myself) suspected it was an early April Fool's joke.

I'd like to paraphrase two of the more astute (and printable) comments from my IETF colleagues:

"ACTA's claim that they're concerned about Internet congestion caused by voice telephony rings about as true as the former East German government claiming that they built the Berlin Wall out of sincere concern for West Berlin becoming overpopulated." (This was from a senior executive of one of the largest US Internet carriers.)

"I guess the buggy whip manufacturers are at it again, trying to stop the automobile."

I couldn't have said it better myself. If ACTA's member telephone companies were as sincerely concerned about Internet congestion as they claim to be, they could make it easier to expand capacity by reducing the exorbitant rates they charge for the point-to-point links on which the Internet is largely built. Those providing local telephone service could deploy ISDN and Frame Relay services at more reasonable prices. Or they could contribute their technical employees' time to the many ongoing IETF activities devoted to improving the efficiency and scalability of Internet protocols and operations, as do all serious companies in the Internet marketplace.

The fact that ACTA apparently does none of these things is overwhelming evidence that their real goal here is to destroy whatever potential the Internet has as competition, however meager. One is reminded of the insanely jealous pre-divestiture Bell System that crushed anyone and anything that dared stand in its way. Given all that has happened since 1984, and coming on the heels of the recent passage of the Telecommunications Deregulation and Competition Act of 1995, ACTA's attitude is amusingly quaint, if not downright antediluvian. Or just plain silly.

ACTA should wake up and smell the coffee. The telecom world has changed considerably, and for the better. If ACTA's members feel threatened by the Internet, they are welcome to enter the market themselves. Trying to destroying legitimate competition while piously claiming "public interest" won't work anymore.

The barely concealed anti-competitive tone of ACTA's petition should be cause enough for the FCC to dismiss it.

However there are also several myths and misstatements of fact in ACTA's petition that I feel must be answered

The "Internet Voice is Free" Myth

ACTA claims that Internet telephony is somehow "free", so it represents unfair competition to their traditional regulated services. This is patent nonsense. I don't know of any Internet Service Provider (ISP) that gives away its services for free. Most are in business to make money, but even a non-profit cooperative must recover its costs -- consisting largely of telephone bills, I might add. While many ISPs charge flat rates by the month rather than by the minute as with conventional long distance telephony, those monthly fees must nonetheless recover the costs of operation or the ISP will go out of business.

Many ISPs do in fact charge for usage beyond some set maximum time included in the basic monthly fee. Rates vary, but a common rate for excess monthly connect time \$1-\$2/hr. Bear in mind that these rates may well be incurred by the users on *both* ends of an Internet telephone connection -- unlike conventional telephony, where usually only the caller pays.

Furthermore, a fairly simple calculation will show that the lower per-minute rates of dialup Internet service as compared to conventional long distance telephony are fully consistent with the lower average data rates in use. Most Internet telephones use modern digital speech compression techniques that require only 10-15 kb/s to produce high quality speech. In contrast, standard telephone company practice, at least on domestic calls, is to encode speech in mu-law PCM at 64kb/s, a technology that has remained almost unchanged since the early 1960s. Furthermore, standard circuit-switched telephony is full duplex while most Internet telephones operate in half duplex, reducing average transmission rates even further.

If ACTA's members were to consider competing honestly with Internet telephony instead of trying to destroy it, they might find that they could adopt many of these same cost-saving techniques in their own networks. This might even let them reduce their prices to competitive levels.

The "Voice Will Kill The Internet" Myth

ACTA repeats a myth commonly heard elsewhere, that high rate packet telephony will crowd out the computer networking applications for which the Internet was originally designed. Although I believe this concern to be an insincere ruse, I believe the myth should nonetheless be answered for its own sake.

If anything, the exact opposite is true. In the Internet's present state, the computer networking applications for which it was primarily designed will crowd out the voice users whenever there is insufficient capacity to satisfy both.

Packet switched computer networks like the Internet were built to meet the very different requirements of computer-to-computer communication, including communications on behalf of a human operator. Computer networking is inherently much less "real-time" than voice telephony. This is not to say that performance isn't important. It is. But as a rule, computer network performance analyses tend to emphasize averages over time (average packet loss, average delay, average response time etc).

Contributing to this phenomenon is the increasing autonomy of the average personal computer; unlike the "dumb terminals" of old that were useless without mainframe computers (and the network to connect them), many personal computers run "agents" on behalf of their users that tend to loosen the delay and availability demands placed on the network. A mail agent like Qualcomm's Eudora is a good example. It permits the user to do almost everything a purely "offline" mode, with occasional batch transfers of mail in the "background".

This stands in stark contrast to real-time voice telephony, where the worst case dominates the network design. Human conversation is inherently a highly intimate and interactive application with stringent human factors requirements. A century of research has established the tolerable limits on delay, distortion, loss, noise and other impairments to human voice conversation and they are fairly well understood.

Computers can be very patient and methodical; if a packet is lost, it can be resent. Human speakers are far less tolerant of such problems, even when momentary. Circuit switched telephone networks were specifically built to meet such requirements. Packet networks like the Internet were not, although there is significant ongoing research in this direction.

As a result, few users of Internet telephones would compare the quality favorably with conventional telephone service even under the best of conditions. And when congestion occurs the voice users are the most likely ones to give up in frustration and go away, leaving the network to the more patient computers and their automatic congestion-control protocols.

Most users of Internet telephones would probably find it downright comical that ACTA finds them so threatening. Any such threat is best dealt with by staying current with technology and reducing costs and prices. If it feels it cannot compete effectively due to over-regulation, the answer is to eliminate those regulations, not to bring them down on the competition.

Conclusion

I respectfully urge the Commission to dismiss ACTA's petition and continue its complete "hands off" policy toward the Internet. In the absence of regulation, the Internet has flourished like no telecommunications service before it. It is hard to see how anyone but the buggy-whip manufacturers ACTA apparently represents could benefit from attempts to regulate it now.

The Commission should particularly reject any notion of enumerating "acceptable" Internet applications or uses. The Internet has found a remarkable range of novel and useful applications largely because it was built with the fewest possible assumptions about and restrictions on the type of traffic it would carry.

Not only would restricting the uses of the Internet be unwise, it would also be unenforceable. An Internet packet is simply a bundle of arbitrary bits that have real meaning only to the parties that send and receive them. Should the parties to a conversation decide to conceal its nature, e.g., with encryption -- as they probably would if the application in question were "banned" by regulation -- there would simply be no way for the network to reliably distinguish them from "permitted" applications.

Attempts to control the publication of user software that implemented "banned" applications would be no more successful. The serious Constitutional issues aside (one federal judge has already ruled computer software to be Constitutionally protected speech), any serious attempt to enforce such an action would probably make the so-called "war on drugs" look like a rousing overnight success.

The Commission should have the wisdom to recognize that establishing and trying to enforce the destructive and completely unnecessary rules like those proposed by ACTA for the Internet would only waste resources that could be better spent on far more constructive ends.

Phil Karn
San Diego, CA

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MAY - 8 1996

From: Ed Tynan <tynane@chdasinc.sps.mot.com>
To: A16.A16(rm8775)
Date: 5/7/96 11:18pm
Subject: ref: Rm No. 8775

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

DOCKET FILE ONLY ORIGINAL

Recently I and my associates have tried out telephoning over the Internet. It works. We have placed calls to a number of locations from our homes, over the worldwide Internet using commercially available software, from our personal computers. We have been able to connect to phones at homes of other persons around the world who do NOT have PCs, and who received our calls on their ordinary phone instruments. We have done this without traditional long-distance phone-call charges, paying only for our access to the Internet via a local Internet Access Provider (IAP). Note that the IAP uses revenue from customers such as we are, to pay a share of internet data line costs, which are obtained frequently from ACTA member companies (nothing is free!). The result of this new approach to phone calls is extremely low-cost long-distance calling.

It has also come to our attention that this new technology is literally growing at an explosive rate, so fast that certain parties (ACTA - America's Carriers Telecommunication Association) are already calling for regulation of this new technology to thwart what they view as POTENTIAL competition for their existing old-technology services.

(On the other hand, AT&T, with seemingly as much at stake as other providers, has taken a far-seeing position that the service should not be regulated, and that they will embrace it themselves. Perhaps we see here a re-surgence of the traditional wisdom which AT&T has often displayed throughout its long history).

In view of the recent Telecommunications bill, which moves strongly toward de-regulation of telephoning services, I urge that the request of ACTA to begin the process of regulating Voice Over the Internet (VON), be declined. What could be more hypocritical than that the very parties agitating for DE-regulation of the phone industry, to permit open and healthy competition, - than that they should turn around and demand regulation of a new service which APPEARS to be capable of competition with THEM!

Phone calling over the Internet offers the opportunity for new service companies to come into being and offer very low-cost telephone services on an international basis. This new technology offers great advantages for the private citizen, in reducing phone bills. In addition, use of Internet telephoning for international business can promote Commerce, and reduce the resources required for the simple act of placing a phone call, through a more economical use of long distance circuits.

With the Internet, "routing" of data packets replaces traditional "switching", and this would seem to be the difference which allows such dramatic reduction of costs. Costs are NOT eliminated, only reduced.

I urge that the FCC NOT move backward into the era of regulating phone services, with the result that monopolistic interests were inadvertently protected, while technological progress and competition were thwarted. It is time to allow new technologies to bear fruit instead of spraying them with weedkiller.

Edmund C. Tynan, Physicist
3637 N. 87th St.
Scottsdale Az, 85251 email: aztynan@indirect.com

Amateur Radio License W7HRD
Member, Arizona Telecommunications and Information Council
Senior Program Manager, Data Communications and ISDN Services
(Motorola Inc. - however, I am writing this advisory as a private citizen, not as a representative of any organization or company).

CC: FCCMAIL.SMTP("0004704377@mcimail.com","aztynan@ind...

CM-8775

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From: <mbowin@ips.com>
To: A7.A7(jwise)
Date: 5/8/96 4:58am
Subject: According to Ness Comments

MAY 8 '96

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Matthew Peter Bowin (mbowin@ips.com) writes:

May 7, 1996

To: The Federal Communications Commission, Room 8755.

From : President & CEO of Interactive Products & Services, Inc.

The following is an informal comment to ACTA9s petition for Declaratory ruling, Special Relief, and Institution of Rulemaking against, VocalTec, Inc., et al. I am not an attorney, and will therefore not be addressing the specific legal aspects of the petition. My comment focuses on the particular aspects of the petition that address or fail to address the consumer interest, technological advancement, and competitive benefits provided in the new voice compression algorithms that are at the core of new internet phone technology.

I think it is fair to say that every consumer benefits from lower costs of long distance telephone service. I can't think of one consumer who is content with the high cost of long distance telephone service, and the consumer is counting on this Commission to foster the technologies that reduce these costs and frustrate the entrenched interests that want to keep long distance rates from falling. As a businessperson in a innovative high-tech corporation, I am angered that there are some businesses that want to use this Commission as a crutch to buffer their failed efforts to compete in a technological age. And to do so at the expense of the consumer is simply outrageous.

I know when our business has faced challenges and changes in the technological landscape, we have done our best to adapt to, and even profit from such change. In fact, it was a long held view by some that voice based Internet communications would put us out of business since we are a maker of a novel wireless text entry device for Internet and PC applications. I didn't even occur to me to petition a government agency to deal with this threat, I simply did my best to figure out a way to adapt our product and business to this new technology. With lots of hard work, insight, and perseverance, I figured out a way to use Internet phone software with our wireless controller and another emerging technology, network computers (NC9s). Thus, now, we are able to accelerate low cost Internet access to households who can't afford PCs (NC9s are nearly 6 times cheaper than a PC, and will be provided for free by most Internet Service Providers (ISPs)) by providing low cost long distance service as hook so that these households are not left out of the Internet Age.

Universal Access in an Internet Age should be a very high priority of this Commission. It is unarguable that those with better access to information will be better prepared to meet life's challenges and opportunities than those who have limited access or no access at all. I believe this is much more serious matter than the Universal Access debate with cable television companies, in that a television show may entertain you, but it won't necessarily inform you; it may make you laugh, but it won't arm you with the information you need to succeed in life. With the Internet's vast resources and information, which are growing by leaps and bounds, it is imperative that this Commission take every opportunity available to ensure that these resources and information are readily accessible to all.

This petition by the ACTA presents such an opportunity, in which the Commission can clearly craft a solution which fosters Universal Access to the Internet. This solution will also allow the Commission to lower long distance rates for the consumer, encourage technological advancement and competition, and preserve for a future date a thorough examination of the infrastructure of the Internet and the adequacy of private efforts to maintain this infrastructure in face of new technological developments like the Internet phone.

The solution is to permit Internet phone software to develop along with the pace of development of computers that support it, while setting a timetable with public hearings on the current state of the infrastructure of the Internet and the adequacy of private efforts to maintain such infrastructure. This means allowing computer to computer voice communications and computer to phone voice communications through the Internet, but prohibiting phone to phone voice communications over the Internet until specific findings have been made concerning the Internet's infrastructure.

This solution accomplishes the primary goals of the Commission, while at least acknowledging what I believe the petitioners only valid claim, that the infrastructure of the Internet may be inadequate to support phone to phone voice communications over the Internet. Computer to computer or computer to phone communications is essentially what is occurring now from a bandwidth standpoint (there are a lot of faxes from computer to phone now), and is unlikely to overload the Internet anytime soon and therefore should be permitted to continue. You also get around this tariff argument by the petitioners in that as long as a computer (PC or NC) is being used by at least one of the parties to the communication, then no free-riding can occur because the Internet Service Provider of the computer user is already paying a tariff to the carriers as part of its fee arrangement with them.

More importantly, this solution fosters Universal Access to the Internet by those who can not afford it. One of the biggest concerns facing network computer makers is that even at \$20/month, can people afford Internet access? With reduced long distance rates that are linked to Internet service, the answer is yes. With Computer to phone voice communications a family of four that spends \$45/month on long distance service will see that cut by 60%, which enables them to afford Internet access using an NC box and a standard television (the NC box will be provided for free by the Internet Service Provider).

As for the ACTA, I believe this Commission should send them a very strong message. That message is that this Commission will almost always favor consumer interests in matters where one group of stagnant businesses are unable to keep up with the far greater number of innovative growing companies. This position is not only pro-consumer, it is pro-growth, and pro-technology. The only one who loses from such a position are the businesses that can't compete and that add very little value to the competitive marketplace. Sending such a strong message may persuade such members of our business community to reconsider their business strategy in terms of the opportunities that are available to them rather than what competitor they can stop through the use of government force. Otherwise, these sort of petitions may get out of hand, in which every business who is losing in a competitive market will attempt to cover-up their failure by hiding behind government rather than doing the ! hard work that innovation requires

Matthew P. Bowin
President &CEO of IPS

Server protocol: HTTP/1.0
Remote host: ejohnson.ips.com
Remote IP address: 205.179.101.98

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MAY 8 1996

From: Terry Smith <turtle@kode.COM>
To: A20.A20(kwerbach)
Date: 5/7/96 10:03pm
Subject: internet services

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

I have read on the inter net that they want to ban the free telephone services. they said that it is in the best interest as of not to give the service away for free of charge. this is obseard and unheard of. does this all revolve around the all mighty dollar? if there is a service wanting to provide this long-distance voice service free of charge, then it should be left up to the company if they want to provide this service. the phone co. is only out to make sure that you have to pay them to call a friend. this decision should not be left up to the co. that is in it all for the money, but to the service provider. the one who has taken the steps to provide this service to the common people. let the people dedide what they want to do. pay, or free with some little commercials in the phone service? let the people decide if it is in their best interest to have this service. not the money making co. I do not want some multi billion dollar business to tell me what is in my best interest. because they might lose a few dollars from me. please consider this aspect of the situation. thank you for you valuble time.

please respond via E-mail or call me long distance from your home if you do not mind paying a bill that the common working folk really cant afford anyhow.

[Handwritten signature]
1

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From: Mike Pilgrim <mikep@metronet.com>
To: A16.A16(rm8775)
Date: 5/7/96 6:01pm
Subject: ACTA Petition

MAY 8 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

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Dear sirs,

Having just perused the ACTA petition requesting, among other things, that you make a ruling to halt development, and commissioning of "Internet Phones," I felt moved to express my displeasure.

Given that internet telephony is a nascent technology, still in its infancy, I feel that the ACTA petition represents an anticompetitive move by this consortia of historically monopolistic providers. The level of current internet phone technology is at the hobbyist stage. The call quality is not up to the current telephone standards and requires hardware and bandwidth which will support few connections on an already busy Internet. I see little significant loss of revenue for the complainants.

An FCC move to prohibit trials, software development and implementation by the small entrepreneurial firms hurts these firms and only provides a window of opportunity for the vastly larger petitioners to infringe on a territory which they have not developed, but which might be promising.

I urge you to decline this petition. Thank you.

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MAY - 8 1996

From: <MABrucato@aol.com>
To: A16.A16(rm8775)
Date: 5/8/96 12:15pm
Subject: Further Intrusion

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

NO!! Do NOT consider anything which restricts any form of communication via the InterNet or through any other medium. The government has NO BUSINESS interfering with the free flow of information among citizens.

ANY attempt to restrict or curtail communication in any form is one step closer to

BIG BROTHER.

NO!!

1
Copies made
4/18/2002

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MAY - 8 1996

From: AirWorks Corp <airworks@deltanet.com>
To: A16.A16(rm8775)
Date: 5/8/96 12:51pm
Subject: ACTA PROPOSAL

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

I recently read an article on a petition by the "America's Carriers Telecommunication Association" regarding the banning of innovative communication technologies on the Internet. I have opinions on the matter that I wish to forward to you.

As an Management Information Professional, and well as an Amateur Radio Operator, I know that technology surrounds us a great deal today.

In Amateur Radio, many so called "Amateur" have put satellites in the Air that can receive and retransmit VOICE and DATA (Packet Satellites or PACSAT's). I haven't heard this group being admonished because they are stifling regulated communications. Amateur Radio Operators (or Ham's as some have called themselves) communicate by HF, VHF, UHF data, voice, Laser and many other technologies throughout the world.

The Internet is nothing more than a Global Area Network, that through innovation and market forces, has become viable to every man, woman and child in the world. Places where communication wasn't possible is now being made available world wide. Places like Bosnia and other war torn countries can tell the real story out because of the Internet.

The Internet is a wonderful piece of technology that has enabled anyone with some imagination to utilize this specialized technology. It is now a "Commodity" item, that for the price of a simple MODEM device, and an inexpensive Home Computer, anyone can participate. I know of no one who is using the Internet to "BYPASS" standard phone company rules and regulations.

As a telephone enthusiast, I remember the "CARTERPHONE" case, when someone wanted to put NON-AUTHORIZED equipment on the public telephone network. Lawsuits abounded, and because of that decision, you can buy \$5.00 telephones at the Supermarket. Technology allows us to find better, more economical ways to communicate.

I urge you to consider that innovation starts with a single idea. Many hours and much skill have been invested to bring us the wonder of the Internet. Telephone companies have been using digital technology in their switching centers for years, yet bring only analog technologies to our homes. Through innovation, we have found a way to "RE-DIGITALIZE" those analog signals...And now we have found a way to turn voice signals into digital signals, and transmit them over a network. Hooray for innovation.

Many people do not like that fact that a "GLOBAL" communication network exists that is not owned, regulated, or exploited by a giant corporation.

This allows us the freedom of using innovative and affordable ways to communicate globally with one another.

My biggest fear is that if this "REGULATION" is brought forth, then further restraints on the Internet will follow. These non-competitive forces will "SQUEEZE" innovation until nothing is left, unless they develop it, so it can be exploited. If these companies had developed the technology, they would be touting it as the next great communication technology.

I encourage you to consider that legislation will not prevent people from communicating, only allow corporations more tools with which to control our lives.

Thank you for allowing me to comment,

Eric Hvinden
Irvine, CA.
airworks@deltanet.com

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MAY 10 1996

DOCKET FILE COPY ORIGINAL

From: Todd Buiten <Todd_Buiten@msn.com>
To: A16.A16(rm8775)
Date: 5/8/96 10:40am
Subject: Comments on RM No. 8775

I am writing this letter to express my concern that the FCC is considering action on the request by the ACTA that may limit or prohibit the distribution of software and hardware that allows for communication over the Internet. My arguments against this action are as follows:

- Simply put, the FCC should continue to represent the citizens of the United States in those instances where resources are limited and must be administered (for example, Television and Radio). For all other matters, the FCC should restrict its involvement to those issues where the public interest is in jeopardy. In this circumstance, the public interest is best served by allowing free competition in the marketplace.

CC: FCCMAIL.SMTP("a-deandr@microsoft.com")

104-10600-10000

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MAY - 8 1996

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OFFICE OF SECRETARY

From: Craig Allan <allan@urbstrat.org.za>
To: A16.A16(rm8775)
Date: 5/8/96 11:15am
Subject: Rulemaking No. 8775

DOCKET FILE COPY ORIGINAL

Comment from: Craig Allan, 2 Kuyt Road, Umbilo, Durban, South Africa

As an individual who may wish to communicate with persons within the jurisdiction of the FCC or may wish to have communication with other countries (specifically Canada) which is routed through the USA, I am affected by, and would therefore like to comment on Rulemaking 8775.

The application by the telecommunication companies appears aimed at eliminating or restricting the use of the Internet for the communication of voice data.

I support the words of FCC charman Reed Hundt, when in a speech he made to Newsweek Telecommunications Forum on February 21 1966 he said:

QUOTE BEGINS

In a single clear sentence in Section 253(a) of the new law, Congress announced that:

"No State or local statute or regulation, or other State or local legal requirement, may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service."

QUOTE ENDS

New rules to enforce monopolies and protect outdated past practices are silly. The telecommunications companies are going to naturally evolve to become Internet providers and will benefit from increased data traffic arising from video, voice, graphic, text and binary communications. There is also no question that network bandwidth will increase to meet demand as it has done since the days of simple telegraphy.

And in conclusion, as Chairman Hundt says, it is not the role of the FCC to limit the competition that drives down prices and raises service levels.

I appeal to the FCC to leave Internet services as unregulated as possible.

Craig Allan Mail: allan@urbstrat.org.za
Urban Strategy Dept. Tel : +27 31 3074920
Durban Metro Council Fax : +27 31 3074933
Durban, South Africa

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OFFICE OF SECRETARY

From: Steve Sanders <ssanders@platinum.com>
To: A16.A16(rm8775)
Date: 5/8/96 11:31am

As a member of the general public and an Internet user, I oppose the rules proposed in ACTA petition RM No. 8775. The Internet is for transmitting digital information, and I am opposed to government regulations on what type of information is transmitted, especially if the regulations are merely for protecting a particular powerful industry at the public's expense. If I wish to send a packet of bytes, and make use of them with particular software and hardware in my own home, the idea of making special rules about what type of hardware and software I can use on certain bytes is ludicrous.

Please reject RM No. 8775.

Steve Sanders
765 Duncardine Way
Sunnyvale, CA 94087
(408)733-4655
ssanders@ix.netcom.com

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MAY - 8 1996

From: Jim Davison <jimd@ugraf.com>
To: A16.A16(rm8775)
Date: 5/8/96 9:54am
Subject: RM No. 8775

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Considerably more time is needed for the public to have a chance to make a comment regarding the issues of RM No. 8775. It appears that the FCC is rushing the matter in order to please special interests.

Jim Davison
European MikroGraf Corp.
Factory Rep for Helios Software GmbH
TEL : 408-461-6061 FAX: 408-461-6056 mailto:jimd@ugraf.com
INFO : info@ugraf.com ftp://ftp.ugraf.com http://www.ugraf.com

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MAY 28 1996

FEDERAL COMMUNICATIONS COMMISSION
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From: Anderson, Klane Y <kyanders@ingr.com>
To: rm8775@fcc.gov <IMCEAX400-c=US+3Ba=+20+3Bp=INTERGR...>
Date: 5/8/96 10:03am
Subject: Reject RM 8775, the ACTA Internet Phone Petition

Please protect the Internet for the consumer.

Reject RM 8775, the ACTA Internet Phone Petition

Reject RM 8775, the ACTA Internet Phone Petition.

Klane Anderson
Intergraph Corporation kyanders@ingr.com

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MAY 8 1996

From: Shawn Updegraff <spu@mailhub.acsu.buffalo.edu>
To: A16.A16(rm8775)
Date: 5/8/96 3:39am
Subject: RM No. 8775

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

I am writing to voice my opposition to ACTA's recent petition for FCC regulation of the internet. I have not read all the documents involved, but what I have read has confirmed my overwhelming suspicion of ACTA's motive. It appears they are afraid, or perhaps unable, to compete with internet phone technology. They even admit it in there own petition :

" The unfair competition created by the current unregu- lated bypass of the traditional means by which long distance services are sold could, if left unchecked, eventually create serious economic hardship on all existing participants in the long distance marketplace and the public which is served by those participants. Ignored, such unregulated operations will rapidly grow and create a far more significant and difficult to control "private" operational enclave of telecommu nications providers and users. Such development will clearly be detrimental to the health of the nation's telecommunications industry and the maintenance of the nation's telecommunications infrastructure"

Perhaps they are unable to fairly compete. If this is the case, I would rather see the FCC unrestrict ACTA and allow them to compete fairly with the internet. This would allow the best product to win and eliminate unnecesary policing of the internet by the FCC.

A second point to consider is that the United States is not the entire internet. In fact many of these "internet phone" products are developed outside the U.S. Such a regulation as asked for by ACTA could only close out the US from a potential product that will only enhance the quality of life through extended communications. Other countries WILL develop this technology and it will be implimented in many of them despite ACTA's wishes.

In closing I would just like to reiterate my plea to leave the internet open. That was is original intended purpose and I would like to see it remain that way as the world gets "plugged in" to each other.

Shawn P. Updegraff
Buffalo, NY

Mr. J. C. O'Connell
Lib. 4002

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From: matthew bowin <ips@scruznet.com>
To: FCC <rm8775@fcc.gov>
Date: 5/8/96 4:44am
Subject: ACTA petition

MAY - 8 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

--Emailer_-1377450024
Content-Type: text/plain; charset="US-ASCII"

Subject: ACTA petition
Sent: 5/8/96 1:45 AM
To: FCC, rm8775.fcc.gov
Enclosure: ACTA-comment

I hope my comment is helpful to the Commission

-Matthew
--Emailer_-1377450024
Content-Type: application/mac-binhex40; name="ACTA-comment.SIT"

--Emailer_-1377450024--

1
List of Commenters
List ASCII

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From: matthew bowin <ips@scruznet.com>
To: FCC <rm8775@fcc.gov>
Date: 5/8/96 5:08am
Subject: Comment to Petition by ACTA

I hope my comments are useful to the Commision.

-Matthew

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